

OCT O 1 2004 E

KAS-179

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

M. KOZAWA et al

Serial No. 10/603,685

Group Art Unit: 2855

Filed: June 26, 2003

Examiner: T. Miller

For: THERMAL TYPE FLOW MEASURING INSTRUMENT

WITH MOLD CASING IN METAL INSERT

## UNDER § 1.97 AND § 1.98

Commissioner for Patents
Mail Stop DD
P.O. Box 1450
Alexandria, VA 22313-1450

October 1, 2004

Sir:

## 1. This IDS should be considered:

- (a) when filed within three months of the filing date of the present application, or within three months of the filing date of the National Stage as set forth in § 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever occurs last;
- (b) when filed before the mailing date of either a Final Rejection under § 1.113 or a Notice of Allowance under § 1.311, whichever occurs first and when 1(a) does not apply. For this purpose, there is included herein either a certification in section 4 below (included when indicated by a marked box), or a fee of \$180.00 (a Credit Card Payment Form in the amount of \$180.00 is enclosed, or if not see section 5 below);
- (c) when filed prior to the payment of the Issue Fee, when 1(a)-(b) do not apply, and when a certification is included in section 4 below (included when indicated by a

marked box); then the Applicant(s) hereby petition(s) and request(s) consideration of this IDS, and provided herewith is a fee of \$180.00 (a Credit Card Payment Form in the amount of \$180.00 to cover the petition fee, or if not see section 5 below).

- 2. When 1(a)-(c) do not apply, then it is requested that this IDS be placed in the file.
- 3. Listing of the information submitted is on the attached Form PTO-1449, which forms a part of this IDS. A copy of each listed document is enclosed when needed (needed for U.S. and foreign patents, publication or portion thereof listed; no copy of a U.S. patent application is needed; a copy of a document is not needed when previously submitted or previously cited by the PTO in a parent application of the present application as set forth under 35 U.S.C. § 120).
  - 4. The undersigned hereby states:
- (a) that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application, as indicated on the copy of the communication submitted herewith, which communication was dated not more than three months prior to the filing of this IDS; or
- $\square$  (b) that no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of this IDS.
- 5. If a fee or additional fee is required, the Commissioner is hereby authorized to charge any fee or additional fee that may be required and credit any excess to Deposit Account No. 50-1417.
- 6. No explanation of relevancy is being provided for the following documents because each is either in the English language, discussed in the present Specification, or its relevance is as stated in a communication from a foreign patent office in a counterpart foreign application.

Serial No. 10/603,685

7. If the PTO determines that part(s) of the required content is inadvertently omitted, then it is requested that the Applicant(s) be given additional time and specific identification of such omission(s) to enable full compliance.

Respectfully submitted,

Daniel J. Stanger Registration No. 32,846 Attorney for Applicants

MATTINGLY, STANGER & MALUR 1800 Diagonal Road, Suite 370 Alexandria, Virginia 22314 (703) 684-1120

Date: October 1, 2004

OIFE

with next communication to applicant.

Sheet 1 of TRADEMANS. DEPARTMENT OF COMMERCE ATTY. DOCKET NO. FORM PTO-1449 SERIAL NO. (REV. 7-80) PATENT AND TRADEMARK OFFICE KAS-179 10/603,685 APPLICANT LIST OF DOCUMENTS CITED BY APPLICANT M. KOZAWA et al (Use several sheets if necessary) **FILING DATE** GROUP June 20, 2003 2855 **U.S. PATENT DOCUMENTS** EXAMINER FILING DATE DOCUMENT DATE NAME CLASS SUBCLASS INITIAL (If Appropriate) AA 4,823,462 04/25/89 D.J. HUBER 73 118 AB 5,948,975 09/07/99 W. MUELLER ET AL. 73 118.2 AC 5,400,639 03/28/95 CARON ET AL. 73 118.1 ΑD 6,253,606 07/03/01 F. YONEZAWA ET AL. 73 204.26 ΑE AF AG AΗ ΑI ΑJ ΑK **FOREIGN PATENT DOCUMENTS** TRANSLATION DOCUMENT DATE COUNTRY CLASS SUBCLASS YES NO 0441523 08/14/91 EUROPE ΑL JAPAN (ENGLISH ABSTRACT) 11291286 10/26/99 AM 0939303 11/12/98 EUROPE AN AO ΑP OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.) AR AS **EXAMINER** DATE CONSIDERED \* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form